

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,                     )  
   )  
          v.   )  
   ) Cr. No. 17-10007-MLW  
DAMIEN GALLOWAY,                             )  
Defendant.                                        )  
   )

ORDER

WOLF, D.J.

December 24, 2020

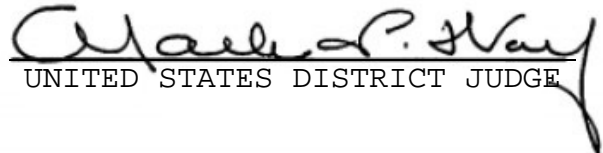
On December 4, 2020, the court granted defendant Damien Galloway's motion for compassionate release, resentenced him to time-served plus up to 14 days, directed FCI Herlong to test Galloway for the COVID-19 virus, and ordered the government to report the results of the test promptly so the court could order Galloway's immediate release if the result was negative. See Dkt. No. 84. The government has not done so. Nor has Galloway's attorney, Jean LaRocque, moved for relief on his behalf.

Accordingly, it is hereby ORDERED that:

1. The government shall, by 1 p.m. on December 28, 2020, report the results of Galloway's test, and seek to show cause why the court should not institute civil and/or criminal contempt proceedings for the failure to obey the December 4, 2020 Order.

2. Galloway's counsel shall, by 1 p.m. on December 28, 2020, report Galloway's explanation of what has transpired since the December 4, 2020 Order, and explain why she has not sought relief on his behalf as he may have now served a longer sentence than the court ordered.

3. Unless the court is by 1 p.m. on December 28, 2020 informed that Galloway's test was negative and that he may, therefore, be ordered released immediately, a hearing by videoconference shall be held on December 29, 2020, at 12 noon EST. The Warden of FCI Herlong shall attend and be prepared to testify.

  
UNITED STATES DISTRICT JUDGE